

75-3-1006 Limitations on actions and proceedings against distributees.

- (1) Unless previously adjudicated in a formal testacy proceeding or in a proceeding settling the accounts of a personal representative or otherwise barred, the claim of any claimant to recover from a distributee who is liable to pay the claim, and the right of any heir or devisee or of a successor personal representative acting in their behalf, to recover property improperly distributed or the value thereof from any distributee is barred at the later of:
 - (a) as to a claim by a creditor of the decedent, one year after the decedent's death; and
 - (b) as to any other claimant and any heir or devisee, at the later of:
 - (i) three years after the decedent's death; or
 - (ii) one year after the time of distribution thereof.
- (2) This section does not bar an action to recover property or value received as the result of fraud.

Amended by Chapter 179, 1992 General Session